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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,380	02/20/2004	David A. Matthews	MS1-1954US	6416
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LEE & HAYES, PLLC 601 W. RIVERSIDE AVENUE SUITE 1400 SPOKANE, WA 99201			EXAMINER ROSSELL, MICHAEL	
			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/783,380

Applicant(s)

MATTHEWS ET AL.

Examiner

MICHAEL ROSWELL

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SG/US)
Paper No(s)/Mail Date 20080625
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-36 rejected under 35 U.S.C. 103(a) as being unpatentable over Rathbone, (Windows XP for Dummies, 2001, Published by Hungry Minds, Inc.), Straub et al (US Patent 5,905,492), hereinafter Straub, and Hilbert et al. (US Publication 2003/0088570 A1), hereinafter Hilbert.

The applied reference (Straub) has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention "by another"; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). This rejection might also be

overcome by showing that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under 35 U.S.C. 103(a). See MPEP § 706.02(I)(1) and § 706.02(I)(2).

Claims 1 and 7: **Rathbone** discloses a user interface and method comprising:

a Logon page configured to display one or more selectable logon controls each having a corresponding user-identifiable indicator (Figure 4-1).

Rathbone further teaches a desktop page configured to display in response to a selectable logon control being selected, the desktop page further configured to display user selectable controls in one or more regions of the desktop page and display the user identifiable indicator corresponding to the selectable logon control (taught as the icon and name of the user "Andy Rathbone", displayed in the start menu of the desktop).

However, Rathbone fails to explicitly teach the desktop page being further configured to persistently display the user identifiable indicator corresponding to the selectable logon control.

Straub teaches a system for updating themes for an operating system, such as Windows XP as disclosed by Rathbone. Furthermore, Straub teaches a desktop page being further configured to persistently display the user identifiable indicator corresponding to the selectable logon control (taught as the ability to customize [i.e. "further configure"] a desktop background to display any graphic image selected by a user, which would include said user-identifiable indicator, at col. 2, lines 20-29). By configuring the background to display the user-identifiable indicator, Straub thus teaches the claimed persistent display of said indicator.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Rathbone and Straub before him to customize the desktop background of Rathbone with the user-identifiable indicator through the customization technique of Straub.

One would have been motivated to make such a combination for the advantage of enhancing a user's experience through increased customization. See Straub, col. 2, lines 20-22.

However, Rathbone and Straub fail to explicitly teach a transition from the logon screen to the desktop page, the transition configured to display after the selectable logon control has been selected but prior to display of the desktop page, the transition further configured to display the user-identifiable indicator corresponding to the selectable logon control uninterrupted throughout the transition, thereby enhancing a computing session by providing seamless continuity when a user logs onto the computing system.

Hilbert teaches a system for providing a logon to a multi-user device similar to that of Rathbone and Straub. Furthermore, Hilbert teaches a transition from a logon screen (Fig. 3) to the desktop page, the transition configured to display after the selectable logon control has been selected but prior to display of the desktop page, the transition further configured to display the user-identifiable indicator corresponding to the selectable logon control uninterrupted throughout the transition, thereby enhancing a computing session by providing seamless continuity when a user logs onto the computing system (as can be seen at Fig. 4 and ¶ 0076).

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Rathbone, Straub and Hilbert before him at the time the invention was made to modify the logon and desktop of Rathbone and Straub to include the desktop page and transition page of Hilbert. One would have been motivated to make such a combination for the advantage of further personalizing a user interface. See Hilbert, ¶ 0007.

Claims 2 and 8: Hilbert discloses a user interface and method as recited in claim 1 and 7, further disclose the user-identifiable indicator is a user name corresponding to the selectable logon control for a user identified by the user name, and wherein the user name is displayed

uninterrupted throughout the transition from the logon page to the desktop page (see Fig. 4, ¶ 0076). Straub further teaches that the desktop image may be any graphical image selected by a user, as shown *supra*.

Claims 3 and 9: Hilbert discloses a user interface as recited in claim 1 and 7, further disclose the user-identifiable indicator is an image corresponding to the selectable logon control, and wherein the image is displayed uninterrupted throughout the transition from the logon page to the desktop page (see Fig. 4, ¶ 0076). Straub further teaches that the desktop image may be any graphical image selected by a user, as shown *supra*.

Claim 4: Hilbert discloses a user interface as recited in claim 1, and further discloses the user-identifiable image corresponding to the selectable logon control (see Fig. 4, ¶ 0076). Straub further teaches that the desktop image may be any graphical image selected by a user, as shown *supra*. As such, Straub teaches the image transforming to a full-size page display while being displayed uninterrupted throughout the transition from the logon page to the desktop page, as the Windows 95 operating system disclosed in Straub is well-known to include desktop customization features that allow a user to select how the preferred desktop image is displayed, typically in either a "centered", "tiled", or "stretched" (i.e. full-size page display) mode.

Claim 5: Hilbert discloses a user interface as recited in claim 1, and further discloses the user-identifiable image corresponding to the selectable logon control (see Fig. 4, ¶ 0076). Straub further teaches that the desktop image may be any graphical image selected by a user, as shown *supra*. As such, Straub teaches the user-identifiable indicator as a portion of an image

corresponding to the selectable logon control, and the portion of the image being displayed uninterrupted throughout the transition from the logon page to the desktop page.

Claims 6: Rathbone discloses a user interface as recited in claim 1, wherein the logon page is further configured to display the one or more selectable logon controls each having corresponding user information Hilbert further teaches the transition being further configured to display the user information corresponding to the selectable logon control uninterrupted throughout the transition (Fig. 4, ¶ 0076).

Claims 10: Rathbone discloses a method as recited in claim 7, wherein displaying the logon page includes displaying the logon page of the one or more selectable logon controls that each have corresponding user information (Figure 10-12: shows Current user's name, Browse the Web with Internet Explorer, etc.). Hilbert teaches the transitioning includes displaying the user information corresponding to the selectable logon control uninterrupted throughout the transitioning from the logon page to the desktop page (Figure 4, ¶ 0076). Straub further teaches that the desktop image may be any graphical image selected by a user, as shown *supra*.

Claims 11 and 30: Rathbone discloses one or more computer readable media comprising computer executable instructions that, when executed, direct a computing device to perform the method of claims 7 and 21 (Figure 4-1).

Claims 12, 21 and 31: Rathbone discloses a user interface, method, comprising:
a logon page configured to display one or more selectable logon controls each having a

corresponding user-identifiable indicator (Figure 4-1).

Rathbone further teaches a desktop page configured to display in response to a selectable logon control being selected, the desktop page further configured to display user selectable controls in one or more regions of the desktop page and display the user identifiable indicator corresponding to the selectable logon control (taught as the icon and name of the user "Andy Rathbone", displayed in the start menu of the desktop).

However, Rathbone fails to explicitly teach the desktop page being further configured to persistently display the user identifiable indicator corresponding to the selectable logon control.

Straub teaches a system for updating themes for an operating system, such as Windows XP as disclosed by Rathbone. Furthermore, Straub teaches a desktop page being further configured to persistently display the user identifiable indicator corresponding to the selectable logon control (taught as the ability to customize [i.e. "further configure"] a desktop background to display any graphic image selected by a user, which would include said user-identifiable indicator, at col. 2, lines 20-29). By configuring the background to display the user-identifiable indicator, Straub thus teaches the claimed persistent display of said indicator.

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Rathbone and Straub before him to customize the desktop background of Rathbone with the user-identifiable indicator through the customization technique of Straub. One would have been motivated to make such a combination for the advantage of enhancing a user's experience through increased customization. See Straub, col. 2, lines 20-22.

However, Rathbone and Straub fail to explicitly teach a start page configured to display before the desktop page and in response to the selectable logon control being selected on the logon page, the start page further configured to display the user-identifiable indicator

corresponding to the selectable logon control and display one or more of the user selectable controls from any of the one or more regions of the desktop page.

Hilbert teaches a system for providing a logon to a multi-user device similar to that of Rathbone and Straub. Furthermore, Hilbert teaches a start page configured to display before the desktop page and in response to the selectable logon control being selected on the logon page, the start page further configured to display the user-identifiable indicator corresponding to the selectable logon control and display one or more of the user selectable controls from any of the one or more regions of the desktop page (taught as the "portal" page 500 that is displayed before a user accesses the desktop page, at ¶ 0077 and seen in Fig. 5).

Therefore, it would have been obvious to one of ordinary skill in the art, having the teachings of Rathbone, Straub and Hilbert before him at the time the invention was made to modify the logon and desktop of Rathbone and Straub to include the desktop page and start page of Hilbert. One would have been motivated to make such a combination for the advantage of further personalizing a user interface. See Hilbert, ¶ 0007.

Claims 13 and 22: Hilbert discloses a user interface as recited in claim 12 and 21, further comprising a transition from the logon page to the start page, the transition configured to display the user-identifiable indicator corresponding to the selectable logon control uninterrupted throughout the transition (Figure 4, ¶ 0076).

Claims 14 and 23: Hilbert discloses a user interface as recited in claim 12 and 21, further comprising a transition from the start page to the desktop page, the transition configured to display the user-identifiable indicator corresponding to the selectable logon control uninterrupted throughout the transition (Figure 4, ¶ 0076).

Claims 15 and 24: Hilbert discloses a user interface as recited in claim 12 and 21, further comprising: a first transition from the logon page to the start page, the first transition configured to display the user-identifiable indicator corresponding to the selectable logon control uninterrupted throughout the first transition (the "sensing" transition of Fig. 3) and a second transition from the start page to the desktop page, the second transition configured to display the user-identifiable indicator corresponding to the selectable logon control uninterrupted throughout the second transition (the "loading" transition of Fig. 4).

Claims 16, 25 and 32: Hilbert discloses a user interface, method, and one or more computer readable media, as recited in claim 12, 21 and 31, the desktop page is further configured to display regional information in one or more of the regions of the desktop page, and wherein the start page is further configured to display the regional information from any of the one or more regions of the desktop page (see ¶¶ 0077 and 0078).

Claims 17, 26 and 34: Rathbone discloses a user interface, method, and one or more computer readable media, as recited in claim 12, 21 and 31, the user-identifiable indicator is a user name corresponding to the selectable logon control for a user identified by the user name (Figure 4-3: "Andy Rathbone"). Hilbert further teaches the user name being displayed uninterrupted throughout a first transition from the logon page to the start page and continues to be displayed uninterrupted throughout a second transition from the start page to the desktop page (Fig. 4, ¶ 0076). Straub further teaches that the desktop image may be any graphical image selected by a user, as shown *supra*.

Claims 18, 27 and 35: Hilbert discloses a user interface, method, and one or more computer readable media, as recited in claim 12, 21 and 31, the user-identifiable indicator is an image corresponding to the selectable logon control, and wherein the image is displayed uninterrupted throughout a first transition from the logon page to the start page and continues to be displayed uninterrupted throughout a second transition from the start page to the desktop page (Figure 4, ¶ 0076).

Claims 19, 28 and 36: Rathbone discloses a user interface, method, and one or more computer readable media, as recited in claim 12, 21 and 31, the logon page is further configured to display the one or more selectable logon controls each having corresponding user information (Figure 4-3: "Kitty"). Hilbert further teaches the user information corresponding to the selectable logon control being displayed uninterrupted throughout a first transition from the logon page to the start page and continues to be displayed uninterrupted throughout a second transition from the start page to the desktop page (Figure 4, ¶ 0076).

Claims 20, 29 and 33: Rathbone discloses a user interface, method, and one or more computer readable media, as recited in claim 12, 21 and 31, the desktop page includes at least one of a taskbar region, a sidebar region, and a start menu region, and wherein the start page is further configured to display the one or more user selectable controls from any of the taskbar region, sidebar region, and start menu region of the desktop page (Figure 10-14, further seen in Figure 6 of Hilbert).

Response to Arguments

Applicant's arguments with respect to claims 1-36 have been considered but are moot in view of the new grounds of rejection.

Subsequent to the amendment to the claims and discovery of pertinent art, the indication of allowable subject matter regarding claims 4 and 5 has been withdrawn.

The previous rejection of claim 1 under 35 USC 112, 2nd paragraph has been withdrawn subsequent to the amendment to the claim.

Conclusion

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL ROSWELL whose telephone number is (571)272-4055. The examiner can normally be reached on 9:30 - 6:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kieu Vu can be reached on (571) 272-4057. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael Roswell /MICHAEL ROSWELL/
Primary Examiner, GAU 2173
3/10/2009